

ORDINANCE NO. 5113

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, DECLARING THAT DOCUMENT ENTITLED “2024 AMENDMENTS TO CHANDLER CITY CODE CHAPTERS 14, 35, AND 48” TO BE A PUBLIC RECORD; AMENDING CHAPTER 14 RELATED TO THE REGULATION OF BACKYARD CHICKENS AS REQUIRED BY STATE LAW; AMENDING CHAPTER 35 LAND USE AND ZONING, RELATING TO THE REGULATION OF ACCESSORY DWELLING UNITS AND APPROVALS OF RESIDENTIAL ZONING APPLICATIONS AS REQUIRED BY STATE LAW; AMENDING CHAPTER 48 RELATED TO APROVALS FOR FINAL PLATS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, in accordance with Ariz. Rev. Stat. § 9-240, the City Council may adopt by ordinance any change or amendment to the regulations and provisions set forth in the Chandler City Code; and

WHEREAS, in 2024, the Arizona Legislature adopted H.B. 2325, codified as Ariz. Rev. Stat. §9-461.10, prohibiting a municipality from adopting rules that would prohibit a resident of a single-family home from keeping up to six chickens in the backyard of the property; and

WHEREAS, in 2024, the Arizona Legislature also adopted H.B. 2720, codified as Ariz. Rev. Stat. §9-461.18, to mandate certain zoning code amendments relating to the construction of accessory dwelling units in municipalities with a population greater than 75,000; and

WHEREAS, Ariz. Rev. Stat. §9-461.18 mandates that these code amendments be adopted on or before January 1, 2025, and also places strict limitations on the types of regulations that a city is allowed to impose on the construction of accessory dwelling units; and

WHEREAS, in 2024, the Arizona Legislature also adopted S.B. 1162, codified as Ariz. Rev. Stat. §9-462.10, to mandate that municipalities adopt an amendment to their zoning ordinances by January 1, 2025, setting deadlines for approval of residential zoning applications; and

WHEREAS, this ordinance is being adopted to comply with these three bills that were adopted by the Arizona Legislature in 2024; and

WHEREAS, notice of this amendment has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days’ notice of the time, place, and date of public hearing; and

WHEREAS, the City Council has considered the probable impact of this ordinance on the cost to construct housing for sale or rent; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on October 16, 2024.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:


- Section 1. That certain document known as the “2024 Amendments to Chandler City Code Chapters 14, 35, and 48,” one paper copy and one electronic copy of which shall remain on file in the Office of the City Clerk, a copy of which is attached to this Ordinance as Exhibit A, is hereby declared to be a public record.
- Section 2. That the Chandler City Code is hereby amended by adoption of the amendments contained in the “2024 Amendments to Chandler City Code Chapters 14, 35, and 48.”
- Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance, or any parts hereof, are hereby repealed.
- Section 4. In any case, where any building, structure, or land is used in violation of the amendments to Chapter 35 of this ordinance, the Planning Division of the City of Chandler may institute an injunction or any other appropriate action in proceeding to prevent the use of such building, structure, or land.
- Section 5. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.
- Section 6. A violation of the amendments to Chapter 35 of this ordinance shall be a Class 1 misdemeanor subject to the enforcement and penalty provisions set forth in Section 1-8.3 of the Chandler City Code. Each day a violation continues, or the failure to perform any act or duty required by this ordinance or the Zoning Code, shall constitute a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 7th day of November, 2024.

ATTEST:



CITY CLERK



MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 9th day of December, 2024.

ATTEST:

Dana R. D'Angelo
CITY CLERK

Kevin Harthe
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5113 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 9th day of December, 2024, and that a quorum was present thereat.

Dana R. D'Angelo
CITY CLERK



APPROVED AS TO FORM:

Thom Allen
CITY ATTORNEY TA

Published:

in the Arizona Republic on: December 27, 2024 and January 3, 2025.

REFERENCED EXHIBIT(S) AND/OR ATTACHMENT(S) ON FILE AT THE CITY CLERK'S OFFICE.

EXHIBIT A to Ordinance 5113

“2024 Amendments to Chandler City Code Chapters 14, 35, and 48”

The Chandler City Code is hereby amended to read as follows (additions in ALL CAPS, deletions in strikethrough, omitted text indicated by ellipses as “. . .”):

Chapter 14 - ANIMALS

. . .

14-33. Backyard chickens.

Chickens may be kept for personal use only on any lot that is located within a residential district, the principal use of which is a single-family residential home, subject to the following requirements:

A. No more than ~~five (5)~~ SIX (6) chickens may be kept on an individual lot.

. . .

Chapter 35 - LAND USE AND ZONING

. . .

35-200 DEFINITIONS

. . .

Accessory building: One (1) detached building which is subordinate and customarily incidental to and on the same lot with a main building, accessory buildings may include structures such as but not limited to a private garage, workshop, ~~accessory dwelling unit~~, or guest quarter. Greenhouses and/or hydroponic houses for hobby purposes shall be excluded for this definition.

Accessory dwelling unit: ~~A secondary dwelling unit sharing the lot of a larger, primary single-family home.~~ A SELF-CONTAINED LIVING UNIT THAT IS ON THE SAME LOT OR PARCEL AS A SINGLE-FAMILY DWELLING OF GREATER SQUARE FOOTAGE THAN THE ACCESSORY DWELLING UNIT, THAT INCLUDES ITS OWN SLEEPING, SANITATION, AND KITCHEN FACILITIES.

. . .

Guest quarters: A detached building THAT IS ON THE SAME LOT OR PARCEL AS A SINGLE-FAMILY DWELLING OF GREATER SQUARE FOOTAGE THAN THE GUEST QUARTERS ~~used to house non-paying persons~~, WHICH MAY INCLUDE ITS OWN SLEEPING AND SANITATION FACILITIES.

. . .

ARTICLE IV. AG-1—AGRICULTURAL DISTRICT

...

35-401. Uses permitted.

[The following are uses permitted in this district:]

- (1) Single-family dwellings.
- (2) Field crops such as cotton, grain, vegetables, fruit trees, flowers.
- (3) Raising and marketing of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage. No slaughtering of animals for commercial purposes.
- (4) Agrarian subdivisions, subject to:
 - (a) Livestock raising and grazing is permitted for a maximum of one (1) livestock animal per seven thousand (7,000) square feet of lot area.
 - (b) No more than one (1) hog, weighing more than fifty (50) pounds, may be kept per thirty-five thousand (35,000) square feet of lot area.
 - (c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.
 - (d) Accessory buildings used specifically for animals and fowl, provided they are located within the area fenced for animals and maintain the same front yard requirements as provided for the principal building.
- (5) Farm roadside stand.
- (6) Riding stables (minimum area, ten (10) acres).
- (7) Home occupations, in accordance with Article XXII, section 35-2215 of this Code.
- (8) Fences, walls, landscape screens not exceeding seven (7) feet in height adjacent to rear and side property lines and not to exceed three (3) feet in height adjacent to front yard.
- (9) Swimming pools, private, in accordance with Article XXII, section 35-2205 of this Code.
- (10) One (1) accessory building, In accordance with Article XXII, section 35-2202 of this Code.
- (11) Signs are permitted in accordance with the Chandler Sign Code [Chapter 39].
- (12) Storage shed, In accordance with Article XXII, section 35-2203 of this Code.
- (13) ACCESSORY DWELLING UNITS, IN ACCORDANCE WITH ARTICLE XXII, SECTION 35-2202.2 OF THIS CODE.

...

ARTICLE V. SF-33—SINGLE-FAMILY DISTRICT

...

35-501. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, in accordance with Article XXII, section 35-2202 of this Code.
- (3) Home occupations, in accordance with Article XXII, section 35-2215 of this Code.
- (4) Storage shed, in accordance with Article XXII, section 35-2203 of this Code.
- (5) Signs in accordance with the Chandler Sign Code [Chapter 39].
- (6) Fences, walls, landscape screens not exceeding seven (7) feet in height adjacent to rear and side property lines and not to exceed three (3) feet in height adjacent to front yard.
- (7) Swimming pools, private, in accordance with Article XXII, section 35-2205 of this Code.
- (8) Agrarian subdivisions, subject to:
 - (a) Livestock raising and grazing, excluding hogs, pigs, burros, donkeys or roosters, is permitted for a maximum of one (1) animal per ten thousand (10,000) square feet of lot area.
 - (b) Excluding household pets, the raising of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage.
 - (c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.
 - (d) Field crops, including vegetables and fruit trees.
 - (e) Accessory buildings used specifically for animals and fowl authorized under paragraphs a. and b. above, provided they are located within the area fenced for animals and maintain the same front, side and rear yard requirements as provided for the principal building.

(9) ACCESSORY DWELLING UNITS, IN ACCORDANCE WITH ARTICLE XXII, SECTION 35-2202.2 OF THIS CODE.

...

ARTICLE VI. SF-18—SINGLE-FAMILY DISTRICT

...

35-601. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, in accordance with Article XXII, section 35-2202 of this Code.
- (3) Home occupations in accordance with Article XXII, section 35-2215 of this Code.
- (4) Storage shed, in accordance with Article XXII, section 35-2203 of this Code.
- (5) Signs in accordance with Chandler Sign Code [Chapter 39].
- (6) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to rear and side yard lines and not to exceed three (3) feet in height adjacent or contiguous to the front yard lines.
- (7) Swimming pools, private, in accordance with Article XXII, section 35-2205 of this Code.
- (8) [ACCESSORY DWELLING UNITS, IN ACCORDANCE WITH ARTICLE XXII, SECTION 35-2202.2 OF THIS CODE.](#)

...

ARTICLE VI.1. SF-10—SINGLE-FAMILY DISTRICT

...

35-601.1. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, in accordance with Article XXII, section 35-2202 of this Code.
- (3) Home occupations as defined in accordance with Article XXII, section 35-2215 of this Code.
- (4) Storage shed, in accordance with Article XXII, section 35-2203 of this Code.
- (5) Signs in accordance with the Chandler Sign Code [Chapter 39].
- (6) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to rear and side yard lines and not to exceed three (3) feet in height adjacent or contiguous to the front yard lines.
- (7) Swimming pools, private, in accordance with Article XXII, section 35-2205 of this Code.

(8) ACCESSORY DWELLING UNITS, IN ACCORDANCE WITH ARTICLE XXII, SECTION 35-2202.2 OF THIS CODE.

...

ARTICLE VIII. MF-1—MEDIUM-DENSITY RESIDENTIAL DISTRICT

...

35-801. Uses permitted.

All buildings are subject to approval of site development plan in accordance with Article XIX of this Code.

- (1) Two-family dwellings.
- (2) Multi-family dwellings (subject to site development plan).
- (3) Home occupations, in accordance with Article XXII, section 35-2215 of this Code.
- (4) Signs in accordance with the Chandler Sign Code [Chapter 39].
- (5) Storage shed, in accordance with Article XXII, section 35-2203 of this Code.
- (6) One (1) accessory building, in accordance with Article XXII, section 35-2202 of this Code, excluding accessory dwelling unit.
- (7) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to side or rear yard lines and not [more than] three (3) feet in height adjacent or contiguous to front yard lines.
- (8) Swimming pools, private, in accordance with Article XXII [section 35-2205] of this Code.
- (9) Single-family dwelling on existing lots that are less than twelve thousand (12,000) square feet as of February 8, 2024. Lots less than twelve thousand (12,000) square feet that were first subdivided on or after February 8, 2024 are not eligible for a single-family dwelling unless a use permit is granted pursuant to this chapter. ACCESSORY DWELLING UNITS SHALL BE PERMITTED IF THE PRINCIPAL USE IS A SINGLE-FAMILY RESIDENTIAL HOME, IN ACCORDANCE WITH ARTICLE XXII, SECTION 35-2202.2 OF THIS CODE.

...

ARTICLE IX. MF-2—MULTIPLE-FAMILY RESIDENTIAL DISTRICT

...

35-901. Uses permitted.

All buildings are subject to approval of site development plan in accordance with Article XIX of this Code.

- (1) Multiple-family dwellings.
- (2) Home occupations, in accordance with Article XXII, section 35-2215 of this Code.
- (3) Signs in accordance with the Chandler Sign Code [Chapter 39].

- (4) Storage shed, in accordance with Article XXII, section 35-2203 of this Code.
- (5) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to side or rear yard lines and not exceeding three (3) feet in height adjacent or contiguous to front yard lines.
- (6) Swimming pools, private, in accordance with Article XXII [section 35-2205] of this Code.
- (7) One (1) accessory building, in accordance with Article XXII, section 35-2202 of this Code, excluding accessory dwelling unit.
- (8) Churches, schools, public buildings and facilities.
- (9) Single-family dwelling on existing lots that are less than twelve thousand (12,000) square feet as of February 8, 2024. Lots less than twelve thousand (12,000) square feet that were first subdivided on or after February 8, 2024 are not eligible for a single-family dwelling unless a use permit is granted pursuant to this chapter. **ACCESSORY DWELLING UNITS SHALL BE PERMITTED IF THE PRINCIPAL USE IS A SINGLE-FAMILY RESIDENTIAL HOME, IN ACCORDANCE WITH ARTICLE XXII, SECTION 35-2202.2 OF THIS CODE.**

...

ARTICLE X. MF-3—HIGH-DENSITY RESIDENTIAL DISTRICT

...

35-1001. Uses permitted.

All buildings are subject to an approved site development plan in accordance with Article XIX of this Code.

- (1) Multiple-family buildings.
- (2) Elevator multiple-family buildings, including accessory business uses which are primarily for the convenience of the tenants.
- (3) Churches, schools, public buildings and facilities.
- (4) Offices and office buildings.
- (5) Home occupations, in accordance with Article XXII, section 35-2215 of this Code.
- (6) Signs in accordance with the Chandler Sign Code [Chapter 39].
- (7) Fences, walls and landscape screens not exceeding seven (7) feet in height when adjacent or contiguous to side or rear lot lines and not more than three (3) feet in height when adjacent or contiguous to front yard lines.
- (8) Swimming pools, private, in accordance with Article XXII [section 35-2205] of this Code.
- (9) One (1) accessory building, in accordance with Article XXII, section 35-2202 of this Code.
- (10) Storage shed in accordance with Article XXII, section 35-2203 of this Code.

(11) Single-family dwelling on existing lots that are less than twelve thousand (12,000) square feet as of February 8, 2024. Lots less than twelve thousand (12,000) square feet that were first subdivided on or after February 8, 2024 are not eligible for a single-family dwelling unless a use permit is granted pursuant to this chapter. **ACCESSORY DWELLING UNITS SHALL BE PERMITTED IF THE PRINCIPAL USE IS A SINGLE-FAMILY RESIDENTIAL HOME, IN ACCORDANCE WITH ARTICLE XXII, SECTION 35-2202.2 OF THIS CODE.**

...

35-1707. - Final development plan approval.

- (1) It is the intent of this section that subdivision review under the City Subdivision Regulations, Chapter 48, be carried out simultaneously as an integral part of the PAD review. The plans required under this section must be submitted in a form which substantially satisfies the requirements of the Subdivision Regulations for ~~final~~ plat approval.

...

35-2202. Accessory buildings. THE FOLLOWING STANDARDS SHALL APPLY TO ALL ACCESSORY BUILDINGS EXCEPT FOR ACCESSORY DWELLING UNITS.

- (1) Accessory buildings such as but not limited to ~~accessory dwelling units~~ guest quarters, garages, and workshops shall be located behind the front wall plane of the home and in the side yard or in the rear yard of the ~~principal building~~ **PRIMARY RESIDENCE** and shall not occupy more than thirty (30) percent of the rear area.
- (2) Accessory buildings shall meet the minimum side and rear yard setbacks for the district in which it is located. Any accessory buildings within a Planned Area Development (PAD) zoning designation shall be subject to the applicable provisions of the adopted preliminary development plan.
- (3) Accessory buildings shall not exceed fifteen (15) feet in height.
- (4) No carport or garage entered from an alley shall be located closer than ten (10) feet to a rear lot line.
- (5) No accessory building shall be constructed prior to the construction of a principal building.
- (6) Guest quarters are permitted subject to the following:
- (a) Guest quarters shall utilize the same utility services provided to the principal building (i.e. separate utility meters directly serving the guest quarters shall not be permitted).
 - (b) No ovens, ranges, or built-in cooking facilities shall be permitted.
 - ~~(c) Notwithstanding any other provision, using the guest quarters for an activity requiring a license under Chapter 22 (short term rentals) of the City Code shall be prohibited, except for short term rentals registered prior to February 8, 2024.~~

(7) A maximum of one accessory building (e.g. ~~accessory dwelling unit~~, guest quarters, garage, workshop) is permitted on a lot.

(8) The exterior design of any accessory building shall be commensurate with the exterior design of the ~~principal building~~ PRIMARY RESIDENCE AND CONSISTENT in materials, colors and architectural style OR SHALL COMPLY WITH THE FOLLOWING STANDARDS:

- a) EXTERIOR WALL CLADDING CONSTRUCTED OF STUCCO OR EXTERIOR INSULATION AND FINISH SYSTEM (EIFS).
- b) CONCRETE TILE ROOF WITH A 4:12 SLOPE.
- c) ADDITIONAL ACCENT MATERIAL MAY BE ADDED IF THE MATERIALS ARE CONSISTENT WITH THE ARCHITECTURAL STYLE OF THE PRIMARY RESIDENCE.

~~(9) Accessory dwelling units are permitted subject to the following:~~

~~(a) An accessory dwelling unit shall only be permitted in a residential district, the principal use of which is a single family residential home.~~

~~(b) Accessory dwelling units shall utilize the same utility services provided to the principal building (i.e., separate utility meters directly serving the accessory dwelling unit shall not be permitted).~~

~~(c) One (1) uncovered or covered off-street parking space shall be required in addition to the covered parking spaces required for the principal use. Said additional parking space shall not obstruct any required off-street parking (i.e., it is prohibited to utilize the driveway leading to the required off-street parking spaces for the principal use as parking for the accessory dwelling unit).~~

~~(d) Notwithstanding any other provision, using the accessory dwelling unit for an activity requiring a license under Chapter 22 (short term rentals) of the City Code shall be prohibited.~~

35-2202.2 ACCESSORY DWELLING UNITS

(1) ACCESSORY DWELLING UNITS ARE PERMITTED ON ANY LOT OR PARCEL WHERE A SINGLE-FAMILY DWELLING IS THE PRINCIPAL USE, SUBJECT TO THE FOLLOWING:

(A) A MAXIMUM OF ONE ATTACHED AND ONE DETACHED ACCESSORY DWELLING UNIT SHALL BE PERMITTED. AN ACCESSORY DWELLING UNIT SHALL NOT EXCEED SEVENTY-FIVE (75) PERCENT OF THE GROSS FLOOR AREA OF THE EXISTING SINGLE-FAMILY DWELLING OR ONE THOUSAND (1,000) SQUARE FEET, WHICHEVER IS LESS. FOR THE PURPOSES OF THIS SUBSECTION, GROSS FLOOR AREA MEANS THE INTERIOR HABITABLE AREA OF THE SINGLE-FAMILY DWELLING.

(B) ONE ADDITIONAL DETACHED ACCESSORY DWELLING UNIT SHALL BE PERMITTED ON A LOT OR PARCEL THAT IS ONE ACRE OR MORE IN SIZE IF AT LEAST ONE ACCESSORY DWELLING UNIT ON THE LOT OR PARCEL IS A RESTRICTED-AFFORDABLE DWELLING UNIT. FOR PURPOSES OF THIS SECTION, A RESTRICTED-AFFORDABLE DWELLING UNIT MEANS A DWELLING UNIT THAT MAY ONLY BE RENTED TO HOUSEHOLDS EARNING EIGHTY (80) PERCENT OR LESS OF AREA MEDIAN INCOME, WHICH LIMITATION HAS BEEN ESTABLISHED THROUGH A RECORDED DEED RESTRICTION OR DEVELOPMENT AGREEMENT GIVING THE CITY THE AUTHORITY TO ENFORCE THE LIMITATION.

(C) AN ACCESSORY DWELLING UNIT SHALL COMPLY WITH ALL LIMITATIONS ON BUILDING HEIGHT, INTENSITY OF LOT USE, AND FRONT YARD SETBACKS FOR THE ZONING DISTRICT IN WHICH IT IS LOCATED; EXCEPT REAR AND SIDE YARD SETBACKS SHALL BE NO LESS THAN FIVE (5) FEET.

(D) ANY UNINHABITABLE SPACE (E.G., A GARAGE) ATTACHED TO AN ACCESSORY DWELLING UNIT SHALL COMPLY WITH THE MINIMUM SIDE AND REAR YARD SETBACKS FOR THE DISTRICT IN WHICH IT IS LOCATED.

(E) ACCESSORY DWELLING UNITS SHALL BE SERVED BY THE SAME WATER, SEWER, AND ELECTRIC-UTILITY PROVIDERS AND METERS AS THE PRIMARY RESIDENCE.

(F) THE EXTERIOR DESIGN OF AN ACCESSORY DWELLING UNIT MUST COMPLY WITH THE FOLLOWING STANDARDS:

1. EXTERIOR WALL CLADDING CONSTRUCTED OF STUCCO OR EXTERIOR INSULATION AND FINISH SYSTEM (EIFS).
2. CONCRETE TILE ROOF WITH A 4:12 SLOPE.
3. ADDITIONAL ACCENT MATERIAL MAY BE ADDED IF THE MATERIALS ARE CONSISTENT WITH THE ARCHITECTURAL STYLE OF THE PRIMARY RESIDENCE.

ALTERNATIVELY, AT THE ELECTION OF THE PROPERTY OWNER, THE EXTERIOR DESIGN MAY BE COMMENSURATE WITH THE EXTERIOR DESIGN OF THE PRIMARY RESIDENCE AND CONSISTENT IN MATERIALS, COLORS AND ARCHITECTURAL STYLE.

(G) AN ACCESSORY DWELLING UNIT SHALL HAVE A SEPARATE AND INDEPENDENT ENTRANCE FROM THE PRIMARY RESIDENCE.

(H) A LOT OR PARCEL CONTAINING AN ACCESSORY DWELLING UNIT SHALL NOT BE SUBDIVIDED OR SPLIT INTO TWO OR MORE LOTS OR PARCELS UNLESS:

1. EACH LOT OR PARCEL COMPLIES WITH MINIMUM LOT SIZE REQUIREMENT OF THE ZONING DISTRICT IN WHICH IT IS LOCATED;
2. SEPARATE UTILITY CONNECTIONS ARE PROVIDED TO EACH DWELLING UNIT;
3. LEGAL INGRESS AND EGRESS IS PROVIDED TO EACH LOT; AND
4. ALL LOTS AND DWELLING UNITS COMPLY WITH ALL CITY CODE REQUIREMENTS.

...

35-2605. – APPROVAL OF RESIDENTIAL ZONING APPLICATIONS.

(1) ADMINISTRATIVE COMPLETENESS REVIEW TIME FRAME.

FOR EACH APPLICATION FOR A ZONING AMENDMENT RELATED TO RESIDENTIAL ZONING, THE ZONING ADMINISTRATOR SHALL DESIGNATE A STAFF MEMBER TO REVIEW THE APPLICATION. CITY STAFF REVIEWING THE APPLICATION SHALL DETERMINE WHETHER THE APPLICATION IS ADMINISTRATIVELY COMPLETE WITHIN THIRTY (30) DAYS AFTER RECEIVING THE APPLICATION. IF STAFF DETERMINES THAT THE APPLICATION IS NOT ADMINISTRATIVELY COMPLETE, STAFF SHALL PROVIDE THE APPLICANT WITH A COMPREHENSIVE LIST OF THE SPECIFIC DEFICIENCIES IN A WRITTEN NOTICE TO THE APPLICANT. UPON ISSUANCE OF THE NOTICE, THE ADMINISTRATIVE COMPLETENESS REVIEW TIME FRAME AND OVERALL TIME FRAME CONTAINED IN THIS SECTION ARE SUSPENDED UNTIL STAFF RECEIVES THE MISSING INFORMATION FROM THE APPLICANT. STAFF SHALL DETERMINE WHETHER A RESUBMITTED APPLICATION IS ADMINISTRATIVELY COMPLETE WITHIN FIFTEEN (15) DAYS AFTER RECEIVING THE RESUBMITTED APPLICATION.

(2) APPROVAL OR DENIAL OF RESIDENTIAL ZONING APPLICATIONS.

AFTER DETERMINING THAT A RESIDENTIAL ZONING APPLICATION IS ADMINISTRATIVELY COMPLETE, THE CHANDLER CITY COUNCIL SHALL APPROVE OR DENY THE APPLICATION WITHIN ONE HUNDRED EIGHTY (180) DAYS. THE CITY MAY EXTEND THE TIME FRAME TO APPROVE OR DENY THE REQUEST BEYOND ONE HUNDRED EIGHTY (180) DAYS FOR EITHER OF THE FOLLOWING REASONS:

- A) FOR EXTENUATING CIRCUMSTANCES, STAFF MAY GRANT A ONE-TIME EXTENSION OF NOT MORE THAN THIRTY (30) DAYS.
- B) IF AN APPLICANT REQUESTS AN EXTENSION, THE CITY MAY GRANT EXTENSIONS OF THIRTY (30) DAYS FOR EACH EXTENSION REQUESTED.

(3) EXCEPTIONS.

THIS SECTION DOES NOT APPLY TO LAND THAT IS DESIGNATED AS A DISTRICT OF HISTORICAL SIGNIFICANCE PURSUANT TO ARIZ. REV. STAT. § 9-462.01(A) OR AN AREA THAT IS DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES. THIS SECTION ALSO DOES NOT APPLY TO PARCELS THAT ARE ALREADY ZONED AS A PLANNED AREA DEVELOPMENT (PAD).

...

Chapter 48 - SUBDIVISIONS

...

48-7. Stage II: Preliminary plat.

...

48-7.4. Significance of preliminary plat approval. Preliminary plat approval constitutes authorization for the subdivider to proceed with preparation of the final plat and the engineering plans and specifications for public improvements. Preliminary plat approval is based upon the following terms:

A. The preliminary plat as conditionally approved shall not be substantially changed prior to the expiration date.

~~B. Approval is valid for a period of twelve (12) months from date of City Council approval. A six (6) month extension of the preliminary plat approval may be granted by the City Council upon receipt of a letter, indicating proper cause, from the subdivider prior to expiration date.~~

€ B. Preliminary plat approval, in itself, does not assure final acceptance of streets for dedication nor does it assure continuation of existing zoning requirements for the tract or its environs.

48-7.5. Information required for preliminary plat submittal.

A. The information hereinafter required as part of the preliminary plat submittal shall be shown graphically, by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale having not more than one hundred (100) feet to an inch. Whenever practical, scale shall be adjusted to produce an overall drawing measuring twenty-four (24) by thirty-six (36) inches.

B. The subdivider shall also file one (1) photo mechanical transfer print (PMT) of the preliminary plat. The PMT's shall be eight and one-half (8½) inches by eleven (11) inches in size and so arranged that each may be bound as a right-hand page in a book with a blank

margin not less than one and one-half (1½) inches wide along the left, the margin being included in the eight and one-half (8½) inch dimension.

C. The subdivider shall file one (1) Mylar each of the subdivision at a true scale of one (1) inch to two hundred (200) feet. The Mylars shall contain lot layout, street configuration, and street names.

~~D. The subdivider shall file one (1) computer disk containing the final plat and all required submittals in a format suitable for computer generation of stored information.~~

...

48-8. Stage III: Final plat.

This stage includes the final design of the subdivision, engineering of public improvements and submittal of the final plat and plans by the subdivider, for review and ~~action~~ **APPROVAL** by the ~~Council~~. **DIRECTOR OF DEVELOPMENT SERVICES OR DESIGNEE.**

...

48-8.4. Final plat submission.

A. **UPON APPROVAL OF THE PRELIMINARY PLAT, THE SUBDIVIDER MAY SUBMIT THE FINAL PLAT FOR APPROVAL.** The subdivider shall file with the Department the final plat ~~and eight (8) true copies thereof~~, together with a letter of transmittal ~~at least twenty-one (21) days prior to the Council meeting at which staff has calendared for consideration of the final plat.~~ **ELECTRONICALLY USING THE ONLINE DEVELOPMENT SERVICES SUBMISSION PORTAL.**

~~B. The subdivider shall also file one (1) photo-mechanical transfer print (PMT) of the final plat after all certificates have been signed. The PMT's shall be eight and one-half (8½) inches by eleven (11) inches in size and so arranged that each may be bound as a right-hand page in a book with a blank margin not less than one and one-half (1½) inches wide along the left, the margin being included in the eight and one-half (8½) inch dimension.~~

~~C.~~ **B. ONCE APPROVED BY STAFF**, the subdivider shall file ~~one (1) Mylar~~ **TWO (2) MYLARS AND ONE (1) PAPER BOND** each of the subdivision at a true scale of one (1) inch to two hundred (200) feet. ~~FOR SIGNATURE BY THE DIRECTOR OF DEVELOPMENT SERVICES OR DESIGNEE, AND THE CITY ENGINEER.~~ The Mylars shall contain lot layout, street configuration, and street names.

~~C.D.~~ The subdivider shall file ~~one (1) computer disk containing~~ the final plat and all required submittals in a format suitable for computer generation of stored information.

48-8.5. Final plat review.

A. The **DEVELOPMENT SERVICES** Department, upon receipt of the final plat submittal, shall immediately record the receipt and date of filing and check it for completeness. If incomplete, the date of filing shall be voided and the submittal shall be returned to the subdivider. If complete, the Department shall review the plat for substantial conformity to the approved preliminary plat ~~WITHIN 20 BUSINESS DAYS~~; and refer copies of the submittal to ~~the following~~ **OTHER RELEVANT** reviewing offices, which shall make known their recommendations to the Department. ~~for its report to the City Council:~~

~~1. Director of Public Works and Utilities and the designated City Engineer for approval of proposed street system, for examination of survey computations of the plat, and for approval of sewer, water, reclaimed water system, stormwater retention and other public works issues.~~

~~2. Community Services Director, when applicable.~~

B. The Department shall assemble the requirements and recommendations of the various reviewing offices, prepare a concise summary of recommendations, and submit said summary together with the reviewer's requirements and recommendations to the ~~City Council~~ DIRECTOR OF DEVELOPMENT SERVICES OR DESIGNEE. In the event that the Department finds that the final plat does not conform essentially to the preliminary plat, as approved by the Council, then the final plat shall be rejected by the Department and shall not be APPROVED ~~considered by the City Council~~. If the developer desires to substantially modify the preliminary plat, an application to amend the preliminary plat may be filed to be considered by the Commission and the City Council in the same manner and with the same requirements as the original preliminary plat.

48-8.6. Final plat approval.

~~A. Upon receipt of a request for Council action from the Department, the Clerk shall place the case on the agenda of the next regular City Council meeting, whereupon the Council shall approve or deny the plat.~~

~~B. If the Council rejects the plat, the Council shall make findings indicating in what manner the final plat substantially differs from the approved preliminary plat.~~

~~C. If the Council approves the plat, the Clerk shall transcribe a certificate of approval upon the plat, first making sure that the other required certifications have been duly signed, and that engineering plans have been approved by the designated City Engineer.~~

~~D. When the certificate of approval by the Council has been transcribed on the plat, the Clerk shall cause the approved final plat to be recorded in the Office of the County Recorder of Maricopa County and distribute originals of the recorded plat to the Public Works and Utilities Department, the County Recorder, and a print of the recorded plat to the County Assessor, all at the expense of the subdivider.~~

A. THE FINAL PLAT MUST BE APPROVED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY OR COMPLETION, OR TEMPORARY CERTIFICATE OF OCCUPANCY OR COMPLETION.

B. WHEN THE DEVELOPMENT SERVICES DIRECTOR OR DESIGNEE HAS APPROVED THE FINAL PLAT, THE CITY CLERK SHALL CAUSE THE APPROVED PLAT TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY AND DISTRIBUTE ORIGINALS OF THE RECORDED PLAT TO THE DEVELOPMENT SERVICES DEPARTMENT, THE COUNTY RECORDER, AND A PRINT OF THE RECORDED PLAT TO THE COUNTY ASSESSOR, ALL AT THE EXPENSE OF THE SUBDIVIDER.

...

48-8.12. *Required certifications.* The following certifications are required:

A. Certification by the registered land surveyor making the plat that the final plat is correct and accurate and that the monuments described in it have either been set or located as described. The signature of such surveyor shall be accompanied by seal.

B. Certification by the Director of Development Services that the final plat is in essential conformance with the approved preliminary plat.

C. Certification by the designated City Engineer that all engineering conditions and requirements of this chapter and imposed by the City Council as conditions of approval have been complied with.

~~D. Certification by the City Clerk of the date the map was approved by the City Council.~~

~~ED.~~ Certificate of recordation by the County Recorder.

...

48-10. Subdivision design principles and standards.

Every subdivision shall conform to the goals and objectives adopted and contained in the Chandler General Plan. The subdivision shall also conform to the Chapter 35 Zoning and other applicable codes and ordinances of the City and the Arizona Revised Statutes, where applicable.

Where a tract of land to be subdivided contains all or any part of an area for a park, school, flood control facility or area shown on the general plan or recommended by the Commission, such site shall be platted showing streets and lots with the area delineated by a bold line and the purpose of the site designated. An agreement shall be reached between the subdivider and the public agency relative to date, method and cost of such acquisition within one (1) year or such extensions of time as may be mutually agreed upon, from recording of the final plat. If such agreement cannot be reached between the subdivider and the public agency relative to date, method and cost of such acquisition in such time period, the ~~City Council~~ **DIRECTOR OF DEVELOPMENT SERVICES OR DESIGNEE** shall make a determination relative to the compliance with the requirements of this section.

...